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AF/S FOR B. WALCH
ADDIS ABABA FOR USAU
ADDIS ABABA FOR ACSS
NSC FOR SENIOR AFRICA DIRECTOR
STATE PASS TO USAID FOR L. DOBBINS AND J. HARMON
COMMERCE FOR ROBERT TELCHIN

SIPDIS

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SUBJECT: ZIM NOTES 10-16-2009

[11. SUMMARY](#)

Topics of the week:

- Roy Bennett Locked Up Again and then Ordered Released...
- MDC Announces Disengagement from ZANU-PF...
- Media Commission Selected, but not Announced...
- Journalist Arrested in Chiadzwa...
- Trial of Human Rights Lawyer and Court Clerk Begins...
- IMF Mission Briefs Donors...
- Shoprite Gets Cold Feet...
- Liberalization of Gold Marketing Leads to Mine Re-opening...
- Ministry of State Enterprises and Parastatals Fights for Relevance...

On the Political and Social Front

[12.](#) Roy Bennett Locked Up Again and then Ordered Released... On October 13, MDC Treasurer and Deputy Minister of Agriculture Roy Bennett appeared for trial in the Magistrates Court in Mutare. The Attorney General's representative obtained a delay and then indicted him (essentially refilling charges) in the High Court on October 15.

He was immediately imprisoned after the AG refused to extend his bail. Bennett's trial on charges of banditry, terrorism and sabotage is now scheduled to start in Mutare on October 19. On October 16, attorney Beatrice Mtetwa argued Bennett's bail application before Justice Charles Hungwe in the High Court. Hungwe, who is perhaps Zimbabwe's most independent judge, ordered Bennett released.

[13.](#) MDC Announces Disengagement from ZANU-PF... After Bennett was locked up on October 15, the MDC Standing Committee met and resolved to disengage from ZANU-PF until all Global Political Agreement (GPA) outstanding issues were resolved. Disengagement means the MDC will not meet with ZANU-PF in Cabinet or in the Council of

Ministers. Outstanding issues include the appointments of Reserve Bank of Zimbabwe governor Gideon Gono and Attorney General Johannes Tomana, and President Robert Mugabe's failure to appoint governors. At this time, the MDC has no intention of leaving government, but is seeking to pressure ZANU-PF to implement the GPA. See Harare 832 and 826.

14. Media Commission Selected, but not Announced... President Robert Mugabe and Prime Minister Morgan Tsvangirai have jointly selected members for the new Media Commission which will inter alia license newspapers. George Charamba, Permanent Secretary in the Minister of Information and Mugabe spokesperson, has indicated the Commission will not be announced until members of the other commissions provided for in the Global Political

Agreement-Electoral, Human Rights, and Anti-Corruption-are selected.

Interviews for the Electoral and Human Rights Commissions have taken place and short lists of candidates for Mugabe and Tsvangirai have been formulated. ZANU-PF appears to be foot-dragging on the Media Commission, as independent dailies will begin publishing once the Media Commission is established. See Harare 824.

15. Journalist Arrested in Chiadzwa... A freelance journalist was arrested in Chiadzwa on October 8 and held at a military base in the diamond field after soldiers found her taking photographs. After calling a friend in Harare, lawyers secured her release from the base, and she was transferred to the jail in Mutare. She is scheduled to appear in court in Mutare on October 19 on charges of entering a protected area without a pass.

16. Trial of Human Rights Lawyer and Court Clerk Begins... The

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trial of prominent human rights lawyer Alec Muchadehama and high court clerk Constance Gambara on charges of obstructing justice began on October 14. They stand accused of illegally securing the release of three men accused of bombing police stations in 2008 who were abducted in late 2008 and tortured by State agents. In April, a judge granted the three bail, but the State prosecutor indicated he would file an appeal to bail. When he failed to do so within seven days as required by law, Muchadehama approached the clerk who issued an order of release. The State, however, proclaimed that it had seven business days, not calendar days to file the appeal. Muchadehama and Gambara were arrested in May; Muchadehama spent one night in jail and Gambara spent one week in jail before being granted bail.

On the Economic and Business Front

17. IMF Mission Briefs Donors... An IMF team arrived in Harare this week to review GOZ economic reforms. At an October 13 briefing for OECD chiefs of mission, IMF officials said there had been progress on budget execution, but serious concerns remained about governance at the Reserve Bank of Zimbabwe. Pressure for wage increases and lack of progress on rule of law added to doubts about the economic outlook. See Harare 820.

18. Shoprite Gets Cold Feet... South African retail giant Shoprite has shelved plans to buy the OK Zimbabwe grocery chain. A statement by Shoprite management cited "socio-economic and political uncertainty." OK has declined to comment. Our business contacts are inclined to think that Shoprite was put off by the GOZ's seizure of Kingdom Meikles and other politically motivated meddling in private business. See Harare 828.

19. Liberalization of Gold Marketing Leads to Mine Re-opening... On October 14, Mwana Africa Plc. announced its first gold production of 5.5 kilograms at the Freda Rebecca mine, which had closed in 2007 amidst Zimbabwe's economic implosion. According to the Zimbabwe Chamber of Mines, Freda Rebecca will be able to produce 990 kilograms of gold by end of year, thanks to both the liberalization of gold marketing at the beginning of the year and the improvement

in Zimbabwe's economic climate.

¶10. Ministry of State Enterprises and Parastatals Fights for Relevance... Following unilateral ZANU-PF appointments to boards to state-owned enterprises under the Ministry of Information and Publicity two weeks ago, the Ministry of State Enterprises and Parastatals published advertisements calling for applications for board appointments to parastatals on October 11. The confusion arises from the overlapping functions of various ministries and the on-going power struggles between the MDC and ZANU-PF in the transitional government. Unfortunately for the Minister of State Enterprises and Parastatals, an MDC appointee, most of the parastatals were created by Acts of Parliament that compel them to report through their own line ministries.

Quotes of the Week

¶11. "I hope SADC see that ZANU-PF has not shifted from its position of abusing the powers it has to decimate the MDC - powers given to them by SADC." Beatrice Mtetwa, the human rights lawyer representing Roy Bennett.

¶12. "The bottom line is that all animals are equal but some are more equal than others." -- Jonathan Moyo quoted without irony in

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the October 11 Sunday Mail on the reasons for his return to ZANU-PF.

¶13. "I did not want to shoot him. I placed my service pistol on the table inviting him to come out of the hotel so that we could fight. I wanted to fight him with my bare hands; that is why I placed my service pistol on the table. The problem was that during our discussion the MP continued to denigrate the army and I wanted to discipline him. However, I have since forgiven him." -- Major-General Engelbert Rugeje, explaining allegations that he threatened to shoot Tachiona Mharadze, MDC-T MP for Masvingo West, following an altercation over the role of the army in the inclusive government. Rugeje was frequently seen leading election-related violence in Masvingo province in 2008.

PETTERSON